

**REMARKS**

Claims 1-3, 5, 6, 8, 9 and 13 are pending in this application. By this Amendment, claim 1 is amended, claims 10-12 are canceled without prejudice to, or disclaimer of, the subject matter recited therein and claim 13 is added. Support for the amendment to claim 1 can be found in the specification, for example, at paragraphs [0012] and [0025]. Support for new claim 13 can be found in the specification, for example, at paragraph [0032]. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Cain at the interview held March 6, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

Claims 1-3, 5, 6, 8 and 9 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The rejection is respectfully traversed.

The Examiner acknowledges on page 3 that the specification supports "the second resin particles are acrylic resin particles." By this Amendment, independent claim 1 is amended to recite "the resin particles contained in the color ink ... are acrylic resin particles" (emphasis added).

Therefore, for at least these reasons, independent claim 1 satisfies the written description requirement. Claims 2, 3, 5, 6, 8 and 9 are only rejected under 35 U.S.C. §112, first paragraph because of their dependency on independent claim 1. Therefore, claims 2, 3, 5, 6, 8 and 9 also satisfy the written description requirement. Applicant thus respectfully requests withdrawal of the rejection.

Claims 10-12 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The rejection is moot in view of the cancellation of claims 10-12. Applicant thus respectfully requests withdrawal of the rejection.

Claims 1-3, 5, 6, 8 and 9 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. Independent claim 1 has been amended responsive to the rejection. Further, claims 2, 3, 5, 6, 8 and 9 are only rejected under 35 U.S.C. §112, second paragraph because of their dependency on independent claim 1. Therefore, claims 2, 3, 5, 6, 8 and 9 also satisfy the requirements of 35 U.S.C. §112, second paragraph. Applicant thus respectfully requests withdrawal of the rejection.

Claims 1-3, 5, 6, and 8-12 are rejected under 35 U.S.C. §103(a) over Ma et al. (U.S. Patent No. 6,247,808) in view of Sawada et al. (U.S. Patent No. 5,772,746). The rejection of cancelled claims 10-12 is moot and the rejection of claims 1-3, 5, 6, 8 and 9 is respectfully traversed.

Ma and Sawada, alone or in a permissible combination, do not teach or suggest every claimed feature of independent claim 1. Ma and Sawada do not teach or suggest "the resin particles contained in the black ink being formed of a binding resin," as recited in independent claim 1 (emphasis added).

The Office Action acknowledges on page 6 that Ma does not disclose the claimed resin particles. Further, Sawada does not remedy the deficiencies of Ma. As argued during the telephone interview, the resin particles of Sawada are aqueous or water dispersible resins (see col. 4, lines 25-28 of Sawada). These particles are merely used as vehicle resins to improve the viscosity of the ink that is for printing on paper rather than to bind the ink to a fabric surface by means of melting the ink (see Sawada, col. 3, line 8 to col. 4, line 48). Sawada does not disclose a binding resin that, for example, can bind the ink to a fabric surface by means of melting the ink. Therefore, Sawada does not teach or suggest the binding resin particles of independent claim 1.

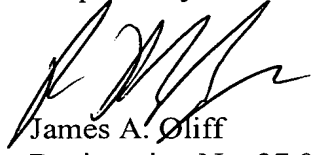
Furthermore, neither reference teaches or suggests "the resin particles contained in the color ink are different from the resin particles contained in the black ink," as recited in independent claim 1.

Therefore, for at least these reasons, independent claim 1 is patentable over Sawada and Ma. Claims 2, 3, 5, 6 and 9, which depend from independent claim 1, are also patentable for at least their dependency on independent claim 1, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:PTM/lrh

Attachement:  
Petition for Extension of Time

Date: March 11, 2008

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